



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

OCT 09 2014

The Honorable Rob S. Saxton
Deputy Superintendent of Public Instruction
Oregon Department of Education
Public Service Building
255 Capitol Street NE
Salem, OR 97310

Dear Deputy Superintendent Saxton:

This letter is in response to Oregon's March 14, 2014 request for a one-year extension of flexibility under the Elementary and Secondary Education Act of 1965, as amended (ESEA flexibility), so that Oregon may continue to implement ESEA flexibility through the end of the 2014–2015 school year.

Our team has reviewed Oregon's request and, pursuant to section 9401(d)(2) of the ESEA, I am pleased to extend Oregon's ESEA flexibility request for one year, through the end of the 2014–2015 school year. My decision to extend Oregon's ESEA flexibility request is based on my determination that ESEA flexibility has been effective in enabling Oregon to carry out important reforms to improve student achievement and that this extension is in the public interest.

On August 14, 2013, Oregon was placed on high-risk status for failure to meet the condition of demonstrating how Oregon would include student growth, as defined in the document titled *ESEA Flexibility*, as a significant factor in determining a teacher's or principal's summative evaluation rating. On May 1, 2014, Oregon submitted an amended request that incorporated proposed guidelines for teacher and principal evaluation and support systems, including how Oregon is proposing to include student growth as a significant factor.

In light of Oregon's on-going efforts to meet the condition and the ESEA flexibility requirements relevant to that condition and consistent with my letter dated August 21, 2014 allowing States additional time to work on their teacher and principal evaluation and support systems, I am removing Oregon's high-risk status and granting Oregon's request to extend approval of its ESEA flexibility request through the end of the 2014–2015 school year. However, I am maintaining the Principle 3 condition on Oregon's request because Oregon's proposed guidelines do not set parameters around how teachers set their student learning objectives on tested grades and subjects. In order to have this condition lifted, Oregon must sufficiently demonstrate that it is setting parameters around how teachers set student learning objectives in tested grades and subjects.

Therefore, this extension is subject to Oregon's commitment to continue working with the U.S. Department of Education (ED) on Oregon's guidelines for its teacher and principal evaluation and support systems. Oregon's progress in implementing its approved ESEA flexibility request during the

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2014–2015 school year, as well as Oregon’s continued work with ED on its Principle 3 guidelines, will inform ED’s decision regarding renewal of Oregon’s ESEA flexibility after the 2014–2015 school year.

Oregon continues to have an affirmative responsibility to ensure that it and its districts are in compliance with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age in their implementation of ESEA flexibility. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Age Discrimination Act of 1975, and requirements under the Individuals with Disabilities Education Act.

I am confident that Oregon will continue to implement the reforms described in its approved ESEA flexibility request and advance its efforts to hold schools and school districts accountable for the achievement of all students. If you need any additional assistance to implement your ESEA flexibility request, please do not hesitate to contact Robyn Pettiford of my staff at: robyn.pettiford@ed.gov.

Thank you for your commitment and continued focus on enhancing education for all of Oregon’s students.

Sincerely,



Deborah S. Delisle
Assistant Secretary

cc: Tryna Luton, Director of School Improvement and Accountability